IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRITS No. 3589 of 2004

SHERA RAM
V/S
REKHA RAM & ORS.

Mr. SHANKER RAJPUROHIT, for the appellant / petitioner

Date of Order : 10.9.2004

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

On 25.8.2004, when the matter came up before this Court, learned counsel pointed out that writ petition no.850/03 is pending in this regard, whereupon file of writ no.650/03 was ordered to be tagged with it. Today, I have perused that file, and find that the Patta, Annexure-1 granted in favour of the petitioner had been canceled by the Collector, and that cancellation order was challenged in writ no.650/03. That writ was admitted on 17.2.2003, and status quo was directed to maintain. However, thereafter, after hearing the parties, vide order dated 7.7.2003, this Court expressly vacated the stay order. In that view of the matter, when the learned Courts below have passed the impugned orders after 7.7.2003, i.e. On 27.11.2003 and 24.2.2004, and finding the three factors of primafacie, balance of convenience, and irreparable loss to be not existing in favour of the petitioner, I do not find any sufficient ground to interfere with the impugned orders.

The writ petition is, therefore, dismissed summarily. The file of writ no.650/2003 be detached.

(N P GUPTA),J.

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